U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
RECEIVED
JAN 27 2017
TONY R. MOORE, CLERK
BY DEPUTY

AO 245E (Rev. 12/03) Judgment in a Criminal Case for Organizational Defendants
Sheet 1

UNITED STATES DISTRICT COURT

Western District of Louisiana

UNITED STATES OF AMERICA
V.
OMEGA PROTEIN INC

JUDGMENT IN A CRIMINAL CASE
(For Organizational Defendants)

CASE NUMBER: 6:16-CR-00292-1

Dorothy M. Taylor, Greg Linsin
Defendant Organization's Attorney

THE DEFENDANT ORGANIZATION:

☑ pleaded guilty to count(s) 1 and 2 of the Bill of Information

☐ pleaded nolo contendere to count(s) ____ which was accepted by the court.

☐ was found guilty on count(s) ____ after a plea of not guilty.

The organizational defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
33:1319(c)(2)(A)	Unlawful Discharge of Pollutant Into a Water of the U.S.	12/8/2014	1
33:1319(c)(2)(A)	Unlawful Discharge of Pollutant Into a Water of the U.S.	2/1/2016	2

The defendant organization is sentenced as provided in pages 2 through 5 of this judgment.

☐ The defendant organization has been found not guilty on count(s) ____

☐ Count(s) ____ ☐ is ☐ are dismissed on the motion of the United States.

It is ordered that the defendant organization must notify the United States attorney for this district within 30 days of any change of name, principal business address, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant organization must notify the court and United States attorney of material changes in economic circumstances.

Defendant Organization's Federal Employer I.D. No.: 54-0353060

Defendant Organization's Principal Business Address:

9730 Andrew Road, Abbeville, LA 70510

1/18/2017
Date of Imposition of Judgment

[signature]
Signature of Judge

Donald E. Walter — U.S. District Judge
Name of Judge — Title of Judge

1/27/17
Date

Defendant Organization's Mailing Address:

9730 Andrew Road, Abbeville, LA 70510

DEFENDANT ORGANIZATION: OMEGA PROTEIN INC
CASE NUMBER: 6:16-CR-00292-1

PROBATION

The defendant organization is hereby sentenced to probation for a term of :

3 years as to Count 1: 3 years as to Count 2, to run concurrent

The defendant organization shall not commit another federal, state or local crime.

If this judgment imposes a fine or a restitution obligation, it is a condition of probation that the defendant organization pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant organization must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page (if indicated below).

STANDARD CONDITIONS OF SUPERVISION

1) within thirty days from the date of this judgment, the defendant organization shall designate an official of the organization to act as the organizations's representative and to be the primary contact with the probation officer;
2) the defendant organization shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
3) the defendant organization shall notify the probation officer ten days prior to any change in principal business or mailing address;
4) the defendant organization shall permit a probation officer to visit the organization at any of its operating business sites;
5) the defendant organization shall notify the probation officer within seventy-two hours of any criminal prosecution, major civil litigation, or administrative proceeding against the organization;
6) the defendant organization shall not dissolve, change its name, or change the name under which it does business unless this judgment and all criminal monetary penalties imposed by this court are either fully satisfied or are equally enforceable against the defendant's successors or assignees; and
7) the defendant organization shall not waste, nor without permission of the probation officer, sell, assign, or transfer its assets.

DEFENDANT ORGANIZATION: OMEGA PROTEIN INC
CASE NUMBER: 6:16-CR-00292-1

SPECIAL CONDITIONS OF SUPERVISION

1) The company agrees it shall not commit any further criminal violations.
2) The company shall comply with the provisions of it's environmental and safety compliance plans, i.e., FS&ECS and MS&ECS.
3) The company shall designate an official of the organization to act as the organization's representative and to be the primary contact with the U.S. Probation Office.
4) The organization shall pay $200,000.00 in community service to the Louisiana State Police, Emergency Services Unit, 7919 Independence Blvd., Baton Rouge, LA 70806. The organization will not seek to have payment of any monies for community service treated as a tax-deductible donation, nor will the organization make any public statement classifying any payments as voluntary contributions, nor will the organization seek to gain any benefit in other claims or litigation.

DEFENDANT ORGANIZATION: OMEGA PROTEIN INC
CASE NUMBER: 6:16-CR-00292-1

CRIMINAL MONETARY PENALTIES

The defendant organization must pay the following total criminal monetary penalties under the schedule of payments on Sheet 4.

	Assessment	Fine	Restitution
TOTALS	$ 800.00	$ 1,000,000.00	$ 0.00

☐ The determination of restitution is deferred until ____________. An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.

☐ The defendant organization shall make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant organization makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

Name of Payee	Total Loss*	Restitution Ordered	Priority or Percentage
TOTALS	$ 0.00	$ 0.00	

☐ Restitution amount ordered pursuant to plea agreement $ ____________

☐ The defendant organization shall pay interest on restitution or a fine of more than $2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 4 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The court determined that the defendant organization does not have the ability to pay interest, and it is ordered that:

☐ the interest requirement is waived for the ☐ fine ☐ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT ORGANIZATION: OMEGA PROTEIN INC
CASE NUMBER: 6:16-CR-00292-1

SCHEDULE OF PAYMENTS

Having assessed the organization's ability to pay, payment of the total criminal monetary penalties are due as follows:

A ☑ Lump sum payment of $ 1,000,800.00 due immediately, balance due

☐ not later than ____________, or
☐ in accordance with ☐ C or ☐ D below; or

B ☐ Payment to begin immediately (may be combined with ☐ C or ☐ D below); or

C ☐ Payment in ________ (e.g., equal, weekly, monthly, quarterly) installments of $ ________ over a period of ________ (e.g., months or years), to commence ________ (e.g., 30 or 60 days) after the date of this judgment; or

D ☑ Special instructions regarding the payment of criminal monetary penalties:

In addition to the fine, and special assessment, the organization shall pay $200,000.00 in community service to the LA. State Police, Emergency Services Unit.

All criminal monetary penalties are made to the clerk of the court.

The defendant organization shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

☐ The defendant organization shall pay the cost of prosecution.

☐ The defendant organization shall pay the following court cost(s):

☐ The defendant organization shall forfeit the defendant organization's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.